GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA

STARRED QUESTION NO:136
ANSWERED ON:23.11.2007
NEW RESETTLEMENT AND REHABILITATION POLICY
Bhakta Shri Manoranjan

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Government has approved the New Rehabilitation and Resettlement Policy recently;

(b) if so, the details of the areas of main thrust therein;

(c) whether the new Rehabilitation and Resettlement Policy has special provisions for Scheduled Castes, Scheduled Tribes and displaced farmers;

(d) if so, the details in this regard;

(e) whether, the Government proposes to give a statutory status to the said policy by amending the Land Acquisition Act, 1894; and

(f) if so, the details thereof?

Answer

MINISTER FOR RURAL DEVELOPMENT (DR RAGHUVANSH PRASAD SINGH)

(a) to (f) A Statement is laid on the table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (f) OF THE LOK SABHA STARRED QUESTION NO. 136 FOR REPLY ON 23.11.2007 REGARDING NEW RESETTLEMENT AND REHABILITATION POLICY.

(a) & (b) Yes, Sir. The revised National Rehabilitation and Resettlement Policy, 2007 formulated by this Department has been approved by the Cabinet on 11th October, 2007 and the same has been published in the Gazette of India on 31st October, 2007. The revised policy has been placed in the public domain at the websites of the Ministry of Rural Development (http://rural.nic.in) and Department of Land Resources (http://dolr.nic.in). Some highlights of the revised policy are:

Policy covers all cases of involuntary displacement;
Social Impact Assessment (SIA) introduced for displacement of 400/200 or more families in plain/tribal, hilly, Scheduled Areas, etc;
Tribal Development Plan in case of displacement of 200+ ST families;
Consultations with Gram Sabhas or public hearings made compulsory;
Principle of rehabilitation before displacement;
If possible, land for land as compensation;
Skill development support and preference in project jobs (one person per nuclear family);
Rehabilitation Grant in lieu of land/job;
Option for shares in companies implementing projects to affected families;
Housing benefits to all affected families including the landless;
Monthly pension to the vulnerable, such as disabled, destitute, orphans, widows, unmarried girls, etc;
Monetary benefits linked to the Consumer Price Index; also to be revised suitably at periodic intervals;
Necessary infrastructural facilities and amenities at resettlement areas;
Periphery development by project authorities;
R&R Committee for each Project, to be headed by Administrator for R&R;
Ombudsman for grievance redressal;
National Rehabilitation Commission for external oversight.

(c) & (d) Yes, Sir. The revised policy covers all projects leading to involuntary displacement of people, and para 7.21 envisages special provisions for Scheduled Tribes and Scheduled Castes, the main features of which are given below:-

Consultation with the concerned gram sabha or the panchayats at the appropriate level in the Scheduled Areas under Schedule V of the Constitution and in accordance with the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996.
Each affected family of Scheduled Tribe followed by Scheduled Caste shall be given preference in allotment of land for land, if Government land is available in the resettlement area.
In case of land being acquired from the members of the Scheduled Tribes, at least one third of the compensation amount be paid at the outset as first instalment and the rest at the time of taking over the possession of the land.

Additional one time financial assistance equivalent to five hundred days minimum agricultural wages for loss of customary rights or usages of forest produce.
Scheduled Tribes to get free of cost land for community and religious gathering, to the extent decided by the appropriate government.
Scheduled Tribes affected families resettled out of district to get twenty-five percent higher benefits in monetary terms.
Scheduled Tribes and Scheduled Castes affected families to be given fishing rights in the reservoir area of the irrigation or hydel projects.
Scheduled Tribes and Scheduled Castes affected families enjoying reservation benefits in the affected area shall be entitled to get the reservation benefits at the resettlement areas.

(e) & (f) The Union Cabinet has approved the Rehabilitation & Resettlement Bill, 2007 and the Land Acquisition (Amendment) Bill, 2007 to give a statutory status to the said policy and to suitably amend the Land Acquisition Act, 1894.